

#### **IV. REMARKS**

1. The specification is amended. Claims 1, 2, 7, 10 and 15 are amended. Claims 16-19 are new.

2. A proposed drawing correction is submitted herewith to address the noted objection. The graphics only button in FIG. 2 is now designated as reference "43". The user interface in FIG. 1 now shows both reference 42 and 43.

3. Claims 1, 4-8, 10-12 and 14-15 are not anticipated by Bloomberg under 35 U.S.C. §102(b). Bloomberg relates to a methodology to separate texts and graphics from a document. Applicant's invention as recited in the claims, relates to a device that allows a user to select the type of output desired, particularly a text only output or a graphics only output. Bloomberg does not disclose or suggest such an output selection device. Bloomberg only discloses how to separate text and graphics. Thus, claims 1, 4-8, 10-12 and 14-15 are not anticipated.

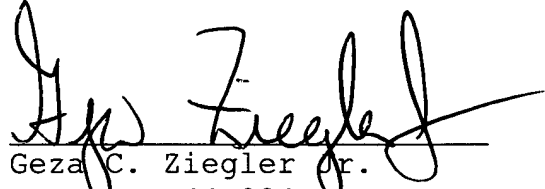
4. Claims 2, 3 and 9 are not unpatentable over Bloomberg in view of Murata under 35 U.S.C. §103(a). Claims 2, 3 and 9 should at least be allowable in view of their respective dependencies. Furthermore, Murata does not overcome the deficiencies of Bloomberg. Murata merely relates to processing OCR data and defines a reading mode operation. (Col. 5, lines 53-56.) Murata does not disclose or suggest the ability to select a text only or graphics only output from a scanned document. In Murata, the reader 1-3 can perform image processing corresponding to OCR reading by a process condition set by the process mode setting

unit 2-9. The parameters are set to lower the edge emphasis degree and lower the threshold level in the binarization so as to read image data in a higher density from the original. The multiplexer 2-7 selects the binarizer 2-4 output and outputs the selected data. The process mode setting unit 2-9 changes the parameters of a process condition in accordance with a reading mode designated in advance by the user through the console panel 1-2, which are a "character mode" for reading character script or a "picture mode" for reading picture script. If the "character/picture mode" is designated, the process mode setting unit 2-9 sets the switchover signal to "1" (ON) so as to connect the image judgment circuit 2-10 and the A/D converter 2-2 via the switch 2-11. The process mode setting unit 2-9 switches over the process condition in accordance with image type judgment results in image area units from the image judgment circuit 2-10. If the judgment result in an image area is a character image, the process mode setting unit 2-9 sets the process condition for the character mode. If the judgment result is a picture image, the process mode setting unit 2-9 sets the process condition for the picture mode. This is not the same as being able to select a text only or graphics only output from a scanned document as is claimed by Applicant. Thus, claims 2, 3 and 9 are not unpatentable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 24-0037.

Respectfully submitted,

  
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Geza C. Ziegler Jr.  
Reg. No. 44,004

November 26, 2004  
Date

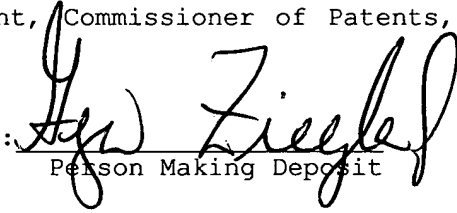
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